

Mr. Speaker, I have always considered the time spent in this institution, the people's House, as one of the highest honors a person can be provided by this country. Each of us is elected by the people to be a Member. Each of us has an equal right to be here. But what we do here, what position or responsibilities that we have, we owe to each other.

Last Friday in the Ways and Means Committee while conducting a markup of a bill as a result of decisions made by members of the committee and by me as chairman, there was a breakdown of order and decorum. To reestablish order in the committee, I requested that staff place a call to the Sergeant at Arms. That decision, in my opinion, was proper and appropriate. A second decision to instruct staff to see if the Democrats that had occupied the library would go to room 1129, which is a room reserved for the Democrats for meetings and caucuses, and to enlist the support of the Capitol Police to do so if necessary, that decision, in the words of Norm Ornstein in a column today in Roll Call, was described as "just plain stupid." I agree with him.

Every Member has as much right to be here and to be heard as any other. In hindsight, calling the Sergeant at Arms for help in the committee room, I still believe, was good judgment. My instruction to use the Capitol Police, if necessary, in the library was not. I learned a very painful lesson on Friday. As Members, you deserve better judgment from me, and you will get it. Because of my poor judgment, those outside the House who want to trivialize, marginalize, and debase this institution were given an opportunity to do so. Because of my poor judgment, the stewardship of my party as the majority party in this House has been unfairly criticized.

□ 1415

Because of my poor judgment, I became the focus of examination rather than the issues. The visions that each of us have for a better America, different as though they may be but equally entitled to be heard, were not focused on.

It has been said that our strengths are our weaknesses. Or as my mother would have put it, "When they were passing out moderation, you were hiding behind the door." I believe my intensity has served useful purposes, fixing problems and passing laws that otherwise may not have made it. But when one is charged and entrusted with responsibilities by you, my colleagues, as I have been, you deserve better. Moderation is required.

For the remainder of my time in this, the people's House, I want to rededicate my efforts to strengthening this institution as the embodiment of what is best about us. I need your help and I invite it.

Mr. Speaker, I yield back the balance of my time.

#### PARLIAMENTARY INQUIRY

Mr. RANGEL. Mr. Speaker, I would like to respond in a positive way, and I make a parliamentary inquiry. Would this be the proper time to ask whether my privilege of the House motion could be heard?

The SPEAKER. The Chair will continue to take that timing under advisement.

(Mr. RANGEL asked and was given permission to speak out of order.)

#### RESPONSE TO QUESTION OF PERSONAL PRIVILEGE

Mr. RANGEL. Mr. Speaker and my colleagues, I first want to thank the chairman of my committee for what had to be a very difficult task for him in coming before this august body and expressing regret for poor judgment. All of us at some time or the other have had poor judgment, and it is always difficult for us, especially as politicians, to say publicly that we made a mistake.

The reason I asked to respond is because I know that each and every one of us love this body and recognize that we are privileged, if not blessed, to have the opportunity to represent the people of the United States of America. But whether or not it is a Thomas-Rangel dispute, a Republican-Democrat dispute, the only question that we have is that we leave this place in no worse shape than we inherited it. Each Congress tries to improve the quality of civility, the partnership, the working together, the mutual respect and saying, as my chairman said, that we all want a better America, indeed a better world.

But we have diversity in this country. It is our biggest strength, and to respect the American people, we have to respect each other. It is not a question of personality. We cannot afford to be personal about it. There has to be respect. Yes, the majority has the responsibility to lead and to get their legislation through, but the minority has the right to be respected, to be heard, and to know, in a timely fashion when that legislation is coming up, to know what is in the bill, to have time and to be able to use not the rules that we make up as we go along but the rules of civility that allowed this body to exist for over 200 years. These were not Republican rules. They were not Democratic rules. They were rules to say, notwithstanding your emotion, this will guide you for a better Congress and a better America.

I hope, Mr. Speaker, that out of this, because our parents have always told us that out of the worst day of the worst situation, if you commit to it, you can find some good to come out of it. So do not look at it as being a Thomas-Rangel, Committee on Ways and Means issue. Let us look at this as being a House of Representatives issue. Let us see whether every committee and every Member can say that in this

House we have got to respect each other no matter how much we differ. We should try to believe that the best of us is to do the best job for our country.

Chairman THOMAS, I thank you for coming forward and giving us the opportunity to say can we not take this House to a higher level? Can we not go back home and make the people proud of us? And whether we win or lose in terms of legislation, whether we respect each other is what I think those that we leave this Congress to would respect us for. Thank you, Mr. Chairman.

#### DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

The SPEAKER. Pursuant to House Resolution 326 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2799.

□ 1422

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2799) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2004, and for other purposes, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment by the gentleman from Michigan (Mr. LEVIN) had been disposed of by a point of order.

#### SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: the amendment offered by the gentleman from California (Mr. OSE), the amendment offered by the gentleman from Indiana (Mr. HOSTETTLER), amendment No. 1 offered by the gentleman from New York (Mr. HINCHEY) and the amendment offered by the gentleman from Illinois (Mr. RUSH).

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic votes will be conducted as 5-minute votes.

#### AMENDMENT OFFERED BY MR. OSE

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. OSE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. OSE:

At the end of the bill after the last section (preceding the short title) insert the following new title:

**TITLE VIII—ADDITIONAL GENERAL PROVISIONS**

SEC. 801. None of the funds made available in this Act may be used in violation of section 212(a)(10)(C) of the Immigration and Nationality Act.

**RECORDED VOTE**

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 424, noes 0, not voting 10, as follows:

[Roll No. 418]

**AYES—424**

Abercrombie	Cole	Gordon
Ackerman	Collins	Goss
Aderholt	Conyers	Granger
Akin	Cooper	Graves
Alexander	Costello	Green (TX)
Allen	Cox	Green (WI)
Andrews	Cramer	Greenwood
Baca	Crane	Grijalva
Bachus	Crenshaw	Gutierrez
Baird	Crowley	Gutknecht
Baker	Cubin	Hall
Baldwin	Culberson	Harman
Ballance	Cummings	Harris
Ballenger	Cunningham	Hart
Barrett (SC)	Davis (AL)	Hastings (FL)
Bartlett (MD)	Davis (CA)	Hastings (WA)
Barton (TX)	Davis (FL)	Hayes
Bass	Davis (IL)	Hayworth
Beauprez	Davis, Jo Ann	Hefley
Becerra	Davis, Tom	Hensarling
Bell	Deal (GA)	Herger
Bereuter	DeFazio	Hill
Berman	DeGette	Hinchey
Berry	Delahunt	Hinojosa
Biggart	DeLauro	Hobson
Bilirakis	DeLay	Hoefel
Bishop (GA)	DeMint	Hoekstra
Bishop (NY)	Deutsch	Holden
Blackburn	Diaz-Balart, L.	Holt
Blumenauer	Diaz-Balart, M.	Honda
Blunt	Dicks	Hooley (OR)
Boehlert	Dingell	Hostettler
Boehner	Doggett	Houghton
Bonilla	Dooley (CA)	Hoyer
Bonner	Doolittle	Hulshof
Bono	Doyle	Hunter
Boozman	Dreier	Hyde
Boswell	Duncan	Inslee
Boucher	Dunn	Isakson
Boyd	Edwards	Israel
Bradley (NH)	Ehlers	Issa
Brady (PA)	Emanuel	Istook
Brady (TX)	Emerson	Jackson (IL)
Brown (OH)	Engel	Jackson-Lee
Brown (SC)	English	(TX)
Brown, Corrine	Eshoo	Janklow
Brown-Waite,	Etheridge	Jefferson
Ginny	Evans	Jenkins
Burgess	Everett	John
Burns	Farr	Johnson (CT)
Burr	Fattah	Johnson (IL)
Burton (IN)	Feeney	Johnson, E. B.
Buyer	Filner	Johnson, Sam
Calvert	Flake	Jones (NC)
Camp	Fletcher	Jones (OH)
Cannon	Foley	Kanjorski
Cantor	Forbes	Kaptur
Capito	Fossella	Keller
Capps	Frank (MA)	Kelly
Capuano	Franks (AZ)	Kennedy (MN)
Cardin	Frelinghuysen	Kennedy (RI)
Cardoza	Frost	Kildee
Carson (IN)	Gallegly	Kilpatrick
Carson (OK)	Garrett (NJ)	Kind
Carter	Gerlach	King (IA)
Case	Gibbons	King (NY)
Castle	Gilchrest	Kingston
Chabot	Gillmor	Kirk
Chocola	Gingrey	Klecza
Clay	Gonzalez	Kline
Clyburn	Goode	Knollenberg
Coble	Goodlatte	Kolbe

Kucinich	Nussle	Shaw
LaHood	Oberstar	Shays
Lampson	Obey	Sherman
Langevin	Olver	Sherwood
Lantos	Ortiz	Shimkus
Larsen (WA)	Osborne	Shuster
Larson (CT)	Ose	Simmons
Latham	Otter	Simpson
LaTourette	Owens	Skelton
Leach	Oxley	Slaughter
Lee	Pallone	Smith (MI)
Levin	Pascrell	Smith (TX)
Lewis (CA)	Pastor	Smith (WA)
Lewis (GA)	Paul	Snyder
Lewis (KY)	Payne	Solis
Linder	Pelosi	Souder
Lipinski	Pence	Spratt
LoBiondo	Peterson (MN)	Stark
Lofgren	Peterson (PA)	Stearns
Lowey	Petri	Stenholm
Lucas (KY)	Pickering	Strickland
Lucas (OK)	Pitts	Stupak
Lynch	Platts	Sweeney
Majette	Pombo	Tancredo
Maloney	Pomeroy	Tanner
Manzullo	Porter	Tauscher
Markey	Portman	Tauzin
Marshall	Price (NC)	Taylor (MS)
Matheson	Pryce (OH)	Taylor (NC)
Matsui	Putnam	Terry
McCarthy (MO)	Quinn	Thomas
McCarthy (NY)	Radanovich	Thompson (CA)
McCollum	Rahall	Thompson (MS)
McCotter	Ramstad	Thornberry
McCrery	Rangel	Tiahrt
McDermott	Regula	Tiberi
McHugh	Rehberg	Tierney
McInnis	Renzi	Toomey
McIntyre	Reyes	Towns
McKeon	Reynolds	Turner (OH)
McNulty	Rodriguez	Turner (TX)
Meenan	Rogers (AL)	Udall (CO)
Meek (FL)	Rogers (KY)	Udall (NM)
Meeks (NY)	Rogers (MI)	Upton
Menendez	Rohrabacher	Van Hollen
Mica	Ros-Lehtinen	Velazquez
Michaud	Ross	Visclosky
Millender-	Rothman	Vitter
McDonald	Roybal-Allard	Walden (OR)
Miller (FL)	Royce	Walsh
Miller (MI)	Ruppersberger	Wamp
Miller (NC)	Rush	Waters
Miller, Gary	Ryan (OH)	Watson
Miller, George	Ryan (WI)	Watt
Mollohan	Ryun (KS)	Waxman
Moore	Sabo	Weiner
Moran (KS)	Sanchez, Linda	Weldon (FL)
Moran (VA)	T.	Weldon (PA)
Murphy	Sanchez, Loretta	Weller
Murtha	Sanders	Wexler
Musgrave	Sandlin	Whitfield
Myrick	Saxton	Wicker
Nadler	Schakowsky	Wilson (NM)
Napolitano	Schiff	Wilson (SC)
Neal (MA)	Schrock	Wolf
Nethercutt	Scott (GA)	Woolsey
Neugebauer	Scott (VA)	Wu
Ney	Sensenbrenner	Wynn
Northup	Serrano	Young (AK)
Norwood	Sessions	Young (FL)
Nunes	Shadegg	

**NOT VOTING—10**

Berkley	Ford	Smith (NJ)
Bishop (UT)	Gephardt	Sullivan
Davis (TN)	McGovern	
Ferguson	Pearce	

**ANNOUNCEMENT BY THE CHAIRMAN**

The CHAIRMAN (during the vote). Members are advised 2 minutes remain in this vote.

□ 1441

Mr. FILNER changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. DAVIS of Tennessee. Mr. Chairman, on rollcall No. 418, I was unavoidably detained. Had I been present, I would have voted “aye.”

**ANNOUNCEMENT BY THE CHAIRMAN**

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, the remainder of this

series will be conducted as 5-minute votes.

AMENDMENT OFFERED BY MR. HOSTETTTLER

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana (Mr. HOSTETTTLER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HOSTETTTLER:

Insert in an appropriate place the following:

SEC. \_\_\_\_\_. None of the funds appropriated in this Act may be used to enforce the judgment of the United States Court of Appeals for the Eleventh Circuit in *Glassroth v. Moore*, decided July 1, 2003 or *Glassroth v. Moore*, 229 F. Supp. 2d 1067 (M. D. Ala. 2002).

**RECORDED VOTE**

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 260, noes 161, not voting 13, as follows:

[Roll No. 419]

**AYES—260**

Aderholt	Cubin	Hooley (OR)
Akin	Culberson	Hostettler
Alexander	Cunningham	Houghton
Bachus	Davis (TN)	Hulshof
Baker	Davis, Jo Ann	Hunter
Ballenger	Deal (GA)	Hyde
Barrett (SC)	DeLay	Isakson
Bartlett (MD)	DeMint	Issa
Barton (TX)	Diaz-Balart, L.	Istook
Bass	Diaz-Balart, M.	Janklow
Beauprez	Doolittle	Jenkins
Bereuter	Doyle	John
Berry	Duncan	Johnson (IL)
Biggart	Dunn	Johnson, Sam
Bilirakis	Ehlers	Jones (NC)
Bishop (GA)	Emerson	Kanjorski
Blackburn	English	Kaptur
Blunt	Etheridge	Keller
Boehlert	Everett	Kelly
Boehner	Feeney	Kennedy (MN)
Bonilla	Flake	King (IA)
Bonner	Fletcher	King (NY)
Bono	Foley	Kingston
Boozman	Forbes	Kirk
Boswell	Fossella	Kline
Boyd	Franks (AZ)	Knollenberg
Bradley (NH)	Frelinghuysen	Kolbe
Brady (TX)	Gallegly	LaHood
Brown (SC)	Garrett (NJ)	Langevin
Brown-Waite,	Gibbons	Latham
Ginny	Gilchrest	LaTourette
Burgess	Gillmor	Leach
Burns	Gingrey	Lewis (KY)
Burr	Goode	Linder
Burton (IN)	Goodlatte	Lipinski
Buyer	Gordon	LoBiondo
Calvert	Goss	Lucas (KY)
Camp	Granger	Lucas (OK)
Cannon	Graves	Lynch
Cantor	Green (TX)	Manzullo
Capito	Green (WI)	Marshall
Cardoza	Gutknecht	Matheson
Carson (IN)	Hall	McCotter
Carson (OK)	Harris	McCrery
Carter	Hart	McHugh
Chabot	Hastings (WA)	McInnis
Chocola	Hayes	McIntyre
Coble	Hayworth	McKeon
Cole	Hefley	Mica
Collins	Hensarling	Miller (FL)
Costello	Herger	Miller (MI)
Cox	Hill	Miller, Gary
Cramer	Hobson	Mollohan
Crane	Hoekstra	Moore
Crenshaw	Holden	Moran (KS)

Murphy  
Murtha  
Musgrave  
Myrick  
Nethercutt  
Neugebauer  
Ney  
Northup  
Northwood  
Nunes  
Nussle  
Ortiz  
Osborne  
Ose  
Owens  
Paul  
Pence  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts  
Pombo  
Pomeroy  
Porter  
Portman  
Putnam  
Quinn  
Rahall  
Ramstad  
Regula

Rehberg  
Renzi  
Reynolds  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Ross  
Royce  
Ruppersberger  
Ryan (WI)  
Ryun (KS)  
Sandlin  
Saxton  
Schrock  
Scott (GA)  
Sensenbrenner  
Sessions  
Shadeegg  
Shaw  
Sherwood  
Shimkus  
Shuster  
Simmons  
Skelton  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Souder  
Stearns

Stenholm  
Stupak  
Sweeney  
Tancredo  
Tanner  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Terry  
Thomas  
Thornberry  
Tiahrt  
Tiberi  
Toomey  
Turner (OH)  
Turner (TX)  
Upton  
Visclosky  
Vitter  
Walden (OR)  
Walsh  
Wamp  
Weldon (FL)  
Weldon (PA)  
Weller  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wynn  
Young (AK)  
Young (FL)

## NOES—161

Abercrombie  
Ackerman  
Allen  
Andrews  
Baca  
Baird  
Baldwin  
Ballance  
Becerra  
Bell  
Berman  
Bishop (NY)  
Blumenauer  
Boucher  
Brady (PA)  
Brown (OH)  
Brown, Corrine  
Capps  
Capuano  
Cardin  
Case  
Castle  
Clay  
Conyers  
Cooper  
Crowley  
Cummings  
Davis (AL)  
Davis (CA)  
Davis (FL)  
Davis (IL)  
Davis, Tom  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Deutsch  
Dicks  
Dingell  
Doggett  
Dooley (CA)  
Dreier  
Edwards  
Emanuel  
Engel  
Eshoo  
Evans  
Farr  
Fattah  
Filner  
Frank (MA)  
Frost  
Gerlach  
Gonzalez  
Greenwood

Grijalva  
Gutierrez  
Harman  
Hastings (FL)  
Hinchey  
Hinojosa  
Hoeffel  
Holt  
Honda  
Hoyer  
Inslee  
Israel  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Johnson (CT)  
Johnson, E. B.  
Jones (OH)  
Kennedy (RI)  
Kildee  
Kilpatrick  
Kleczka  
Kucinich  
Lampson  
Lantos  
Larsen (WA)  
Larson (CT)  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lofgren  
Lowey  
Majette  
Maloney  
Markey  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McNulty  
Meehan  
Meeks (NY)  
Menendez  
Michaud  
Millender-  
McDonald  
Miller (NC)  
Miller, George  
Moran (VA)  
Nadler

Napolitano  
Neal (MA)  
Oberstar  
Olver  
Otter  
Oxley  
Pallone  
Pascrell  
Pastor  
Payne  
Price (NC)  
Pryce (OH)  
Rangel  
Reyes  
Rothman  
Roybal-Allard  
Rush  
Ryan (OH)  
Sabo  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Schakowsky  
Schiff  
Scott (VA)  
Serrano  
Shays  
Sherman  
Simpson  
Slaughter  
Smith (WA)  
Snyder  
Solis  
Spratt  
Stark  
Strickland  
Tauscher  
Thompson (CA)  
Thompson (MS)  
Towns  
Udall (CO)  
Udall (NM)  
Van Hollen  
Velazquez  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Wexler  
Wolf  
Woolsey  
Wu

## NOT VOTING—13

Berkley  
Bishop (UT)  
Clyburn  
Ferguson  
Ford

Gephardt  
Meek (FL)  
Obey  
Pearce  
Pelosi

Radanovich  
Sullivan  
Tierney

ANNOUNCEMENT BY THE CHAIRMAN  
The CHAIRMAN (during the vote.)  
Members are reminded there are 2 minutes remaining in this vote.

□ 1449

Mr. OTTER and Mr. OXLEY changed their vote from “aye” to “no.”  
So the amendment was agreed to.  
The result of the vote was announced as above recorded.

AMENDMENT NO. 1 OFFERED BY MR. HINCHEY  
The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. HINCHEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.  
The text of the amendment is as follows:

Amendment No. 1 Offered by Mr. HINCHEY:  
At the end of the bill (before the short title), insert the following:

## TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act to the Department of Justice may be used to prevent the States of Alaska, Arizona, California, Colorado, Hawaii, Maine, Maryland, Nevada, Oregon, or Washington from implementing State laws authorizing the use of medical marijuana in those States.

## RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 152, noes 273, not voting 9, as follows:

[Roll No. 420]

## AYES—152

Abercrombie  
Ackerman  
Allen  
Andrews  
Baird  
Baldwin  
Ballance  
Beauprez  
Becerra  
Bereuter  
Berman  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Blumauer  
Bono  
Brady (PA)  
Brown (OH)  
Brown, Corrine  
Capps  
Capuano  
Carson (IN)  
Case  
Clay  
Conyers  
Crowley  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Deutsch  
Dicks  
Doggett  
Dooley (CA)  
Doyle  
Engel  
Eshoo  
Farr

Fattah  
Filner  
Flake  
Frank (MA)  
Garrett (NJ)  
Gilchrist  
Gonzalez  
Grijalva  
Gutierrez  
Harman  
Hastings (FL)  
Hinchey  
Holt  
Honda  
Hooley (OR)  
Inslee  
Israel  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Jones (OH)  
Kanjorski  
Kaptur  
Kennedy (RI)  
Kilpatrick  
Kind  
Kleczka  
Kucinich  
Lantos  
Larsen (WA)  
Larson (CT)  
Lee  
Lewis (GA)  
Lofgren  
Lowey

Majette  
Maloney  
Markey  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
Meehan  
Meek (FL)  
Meeks (NY)  
Michaud  
Millender-  
McDonald  
Moran (VA)  
Murtha  
Nadler  
Napolitano  
Neal (MA)  
Oberstar  
Obey  
Olver  
Otter  
Owens  
Pascrell  
Pastor  
Paul  
Payne  
Pelosi  
Porter  
Price (NC)  
Rahall  
Rangel  
Rodriguez  
Rohrabacher  
Roybal-Allard  
Ruppersberger  
Rush

Ryan (OH)  
Sabo  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Schakowsky  
Schiff  
Scott (GA)  
Scott (VA)  
Serrano  
Sherman  
Simpson

Slaughter  
Smith (WA)  
Solis  
Stark  
Strickland  
Stupak  
Tancredo  
Tauscher  
Thomas  
Thompson (CA)  
Thompson (MS)  
Tierney  
Towns

## NOES—273

Aderholt  
Akin  
Alexander  
Baca  
Bachus  
Baker  
Ballenger  
Barrett (SC)  
Bartlett (MD)  
Barton (TX)  
Bass  
Bell  
Berry  
Biggart  
Bilirakis  
Blackburn  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bonner  
Boozman  
Boswell  
Boucher  
Boyd  
Bradley (NH)  
Brady (TX)  
Brown (SC)  
Brown-Waite,  
Ginny  
Burgess  
Burns  
Burr  
Burton (IN)  
Buyer  
Calvert  
Camp  
Cannon  
Cantor  
Capito  
Cardin  
Cardoza  
Carson (OK)  
Carter  
Castle  
Chabot  
Chocola  
Clyburn  
Coble  
Cole  
Collins  
Cooper  
Costello  
Cox  
Cramer  
Crane  
Crenshaw  
Cubin  
Culberson  
Cummings  
Cunningham  
Davis (AL)  
Davis (FL)  
Davis (TN)  
Davis, Jo Ann  
Davis, Tom  
Deal (GA)  
DeLay  
DeMint  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dingell  
Doolittle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Emanuel  
Emerson  
English  
Etheridge  
Evans  
Everett

Feeney  
Fletcher  
Foley  
Forbes  
Fossella  
Franks (AZ)  
Frelinghuysen  
Frost  
Gallegly  
Gerlach  
Gibbons  
Gillmor  
Gingrey  
Goode  
Goodlatte  
Gordon  
Goss  
Granger  
Graves  
Green (TX)  
Green (WI)  
Greenwood  
Gutknecht  
Hall  
Harris  
Hart  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hensarling  
Herger  
Hill  
Hinojosa  
Hobson  
Hoeffel  
Hoekstra  
Holden  
Hostettler  
Houghton  
Hoyer  
Hulshof  
Hunter  
Hyde  
Isakson  
Issa  
Istook  
Janklow  
Jenkins  
John  
Johnson, Sam  
Jones (NC)  
Keller  
Kelly  
Kennedy (MN)  
Kildee  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kline  
Knollenberg  
Kolbe  
LaHood  
Lampson  
Langevin  
Latham  
LaTourette  
Leach  
Levin  
Lewis (CA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lucas (KY)  
Lucas (OK)  
Lynch  
Manzullo  
Marshall  
Matheson  
McCotter  
McCrery  
McHugh

McInnis  
McIntyre  
McKeon  
McNulty  
Menendez  
Mica  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Mollohan  
Moore  
Moran (KS)  
Murphy  
Musgrave  
Myrick  
Nethercutt  
Ney  
Northup  
Norwood  
Nunes  
Nussle  
Ortiz  
Osborne  
Ose  
Oxley  
Pallone  
Pence  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts  
Pombo  
Pomeroy  
Portman  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Ramstad  
Regula  
Rehberg  
Renzi  
Reyes  
Reynolds  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Ros-Lehtinen  
Ross  
Rothman  
Royce  
Ryan (WI)  
Ryan (KS)  
Sandlin  
Saxton  
Schrock  
Sensenbrenner  
Sessions  
Shadeegg  
Shaw  
Shays  
Sherwood  
Shimkus  
Shuster  
Simmons  
Skelton  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Snyder  
Souder  
Spratt  
Stearns  
Stenholm  
Sweeney  
Tanner  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Terry  
Thornberry

Tiahrt  
Tiberi  
Toomey  
Turner (OH)  
Turner (TX)  
Upton  
Visclosky  
Vitter

Walden (OR)  
Walsh  
Wamp  
Weldon (FL)  
Weldon (PA)  
Weller  
Whitfield  
Wicker

Wilson (NM)  
Wilson (SC)  
Wolf  
Wu  
Young (AK)  
Young (FL)

## NOT VOTING—9

Berkley  
Bishop (UT)  
Ferguson

Ford  
Gephardt  
Miller, George

Neugebauer  
Pearce  
Sullivan

## ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are reminded there are 2 minutes remaining in this vote.

□ 1456

Mr. THOMAS changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT OFFERED BY MR. RUSH

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. RUSH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. RUSH:

At the end of the bill (before the short title), insert the following:

**TITLE VIII—ADDITIONAL GENERAL PROVISIONS**

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used for the sentencing phase of any Federal prosecution in which the penalty of death is sought by the United States.

## RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 85, noes 339, not voting 10, as follows:

[Roll No. 421]

AYES—85

Abercrombie  
Allen  
Baldwin  
Bartlett (MD)  
Berman  
Brady (PA)  
Brown (OH)  
Capps  
Capuano  
Carson (IN)  
Clay  
Conyers  
Cummings  
Davis (IL)  
DeGette  
Delahunt  
Doyle  
Ehlers  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Frank (MA)  
Grijalva  
Gutierrez  
Hastings (FL)

Hinchey  
Holt  
Jackson (IL)  
Kennedy (RI)  
Kildee  
Kilpatrick  
Kleczka  
Kucinich  
Langevin  
Lee  
Levin  
Lewy (GA)  
Lowe  
Majette  
Maloney  
Markey  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McNulty  
Meeks (NY)  
Michaud  
Miller, George  
Mollohan  
Nadler

Napolitano  
Oberstar  
Obey  
Oliver  
Owens  
Payne  
Pelosi  
Rahall  
Rangel  
Rohbal-Allard  
Ryan (OH)  
Sabo  
Sanchez, Linda T.  
Sanders  
Schakowsky  
Scott (GA)  
Scott (VA)  
Serrano  
Smith (NJ)  
Solis  
Stark  
Tierney  
Towns  
Van Hollen

Velazquez  
Waters

Watson  
Watt

## NOES—339

Ackerman  
Aderholt  
Alkin  
Alexander  
Andrews  
Baca  
Bachus  
Baird  
Baker  
Ballance  
Ballenger  
Barrett (SC)  
Barton (TX)  
Bass  
Beauprez  
Becerra  
Bell  
Bereuter  
Berry  
Biggert  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Blackburn  
Blumenauer  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bonner  
Bono  
Boozman  
Boswell  
Boucher  
Boyd  
Bradley (NH)  
Brady (TX)  
Brown (SC)  
Brown, Corrine  
Brown-Waite,  
Ginny  
Burgess  
Burns  
Burr  
Burton (IN)  
Buyer  
Camp  
Cannon  
Cantor  
Capito  
Cardin  
Cardoza  
Carson (OK)  
Carter  
Case  
Castle  
Chabot  
Chocola  
Clyburn  
Coble  
Cole  
Collins  
Cooper  
Costello  
Cox  
Cramer  
Crane  
Crenshaw  
Crowley  
Cubin  
Culberson  
Cunningham  
Davis (AL)  
Davis (CA)  
Davis (FL)  
Davis (TN)  
Davis, Jo Ann  
Davis, Tom  
Deal (GA)  
DeFazio  
DeLauro  
DeLay  
DeMint  
Deutsch  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Doggett  
Dooley (CA)  
Doolittle  
Dreier  
Duncan  
Dunn  
Edwards

Emanuel  
Emerson  
English  
Etheridge  
Evans  
Everett  
Feeney  
Flake  
Fletcher  
Foley  
Forbes  
Fossella  
Franks (AZ)  
Frelinghuysen  
Frost  
Gallegly  
Garrett (NJ)  
Gerlach  
Gibbons  
Gilchrest  
Gillmor  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Granger  
Graves  
Green (TX)  
Green (WI)  
Greenwood  
Gutknecht  
Hall  
Harman  
Harris  
Hart  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hensarling  
Herger  
Hill  
Hinojosa  
Hobson  
Hoeffel  
Hoekstra  
Holden  
Honda  
Hooley (OR)  
Hostettler  
Houghton  
Hoyer  
Hulshof  
Hunter  
Hyde  
Inslee  
Isakson  
Israel  
Issa  
Istook  
Jackson-Lee  
(TX)  
Janklow  
Jefferson  
Jenkins  
John  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones (NC)  
Jones (OH)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kind  
King (NY)  
Kingston  
Kirk  
Kline  
Knollenberg  
Kolbe  
LaHood  
Lampson  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Leach  
Lewis (CA)  
Lewis (KY)

Waxman  
Woolsey

Sherman  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Skelton  
Slaughter  
Smith (MI)  
Smith (TX)  
Smith (WA)  
Snyder  
Souder  
Spratt  
Stearns  
Stenholm  
Strickland  
Stupak  
Sweeney

Tancredo  
Tanner  
Tauscher  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Terry  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tiahrt  
Tiberi  
Toomey  
Turner (OH)  
Turner (TX)  
Udall (CO)  
Udall (NM)  
Upton

Visclosky  
Vitter  
Walden (OR)  
Walsh  
Wamp  
Weiner  
Weldon (FL)  
Weldon (PA)  
Weller  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Wu  
Wynn  
Young (AK)  
Young (FL)

## NOT VOTING—10

Berkley  
Bishop (UT)  
Calvert  
Ferguson

Ford  
Gephardt  
Gingrey  
King (IA)

Rogers (MI)  
Sullivan

## ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1504

Mr. OBEY and Mr. ENGEL changed their votes from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. There being no further amendments, the Clerk will read the last lines of the bill.

The Clerk read as follows:

This Act may be cited as the “Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2004”.

Mr. REYES. Mr. Chairman, I rise in support of H.R. 2799, the bill providing appropriations for the Department of Commerce, Justice, State and the Judiciary.

As you know, Mr. Chairman, I represent a district that lies along the U.S.-Mexico border. For many years, the region along the 2,000 mile stretch of our southern border was ignored. The bill before us today, will make tremendous strides to recognize the need for increased resources along the southwest border.

This bill includes 168 additional positions for the United States Marshals Service for areas of high priority need and specifically recognizes that the southwest border is such an area.

My district of El Paso lies within the Western District of Texas. This judicial district has been one of the greatest increases of criminal caseloads over the last decade. The majority of these cases are being heard in the El Paso Division of the Western District. The number of federal criminal cases filed in El Paso County has increased from 443 to 2,192 cases since 1994. Last year, the El Paso Division received its second federal judge. Pending Senate confirmation this year, the El Paso Division will have a total of four federal judges.

Mr. Chairman, needless to say, our case backlog is being addressed and more of our cases will be heard. This increase of work for our judges, in turn, means more work for our Marshals Service. Currently, our Marshals are reporting inoperable work load levels in the southwest border districts. As you know, our Marshals are responsible for providing protection for the federal judiciary, transporting federal prisoners, protecting endangered federal

witnesses and managing assets seized from criminal enterprises. This bill would provide much needed relief for our United States Marshals Service along the southwest border communities.

This bill also provides an increase of appropriations for the State Criminal Alien Assistance Program (SCAAP) from \$250 million to \$400 million. SCAAP is vital to communities all across the country. This program has been dodging the President's ax for the last couple of years. The President has proposed to eliminate this program in his last two budget proposals. Mr. Chairman there is at least one jurisdiction in every state and territory that receives SCAAP funding. Last year, SCAAP appropriations were cut by over 50 percent. Although not nearly enough to fully reimburse our states and localities, the increase for this program is a step in the right direction.

El Paso County relies on SCAAP funds to assist in detaining federal criminals. Without these funds, El Paso County would be forced to tap into other over-stretched resources. These resources are generated by local revenues and are being used to provide for this otherwise federal responsibility. I support this provision in the bill before us, and I will continue to work with my colleagues to see that SCAAP is adequately funded in the future.

I would like to thank my friends and colleagues, the Chairman, Mr. WOLF, and the Ranking Member, Mr. SERRANO, for their work on this bill. I urge my colleagues to support the passage of this bill.

Mr. BLUMENAUER. Mr. Chairman, while overall funding has increased from fiscal year 2003, I hope that we can address some key issues before this bill comes back from conference for approval. One program that was particularly hard hit this year is the Public Telecommunications Facilities Program (PTFP). The funding level this year is \$32.5 million—less than half of last year's appropriation of \$73.3 million. As the founding Chair of the Congressional Public Broadcasting Caucus, I have seen first hand how vital the PTFP program is to communities across the country. Every public television station in America has been issued a mandate to be on the air with a digital signal. The enormous costs of the conversion from analog transmission to digital transmission, estimated at \$1.7 billion, are simply too much for the system to bear alone. If we are to ensure that our local communities continue to receive the rich educational, cultural and informational programs and services offered by local public television stations, we must provide them some financial assistance. Local stations are working with state and private funders, and a federal commitment of matching funds would greatly enhance their success. In fact, much of the state funding is contingent upon a federal match, and many state budget constraints limit public broadcasting funding to well below the need.

The language in the bill regarding the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATF) licensing of firearms dealers is clearly destructive. This bill specifies that BATF could request transaction records from gun retailers only if the request was part of a criminal investigation to determine the disposition of a firearm that is the subject of the investigation, or to identify an individual offender who is the subject or target of the investigation. The measure prohibits the use of funds in the bill to implement or promulgate any rule

requiring a physical inventory of any firearms business licensed under federal law, or to deny licenses to dealers because of low sales volume. This language was added in subcommittee with the adoption of an amendment backed by the National Rifle Association (NRA). The NRA has opposed any meaningful additions to gun safety legislation because they believe we aren't enforcing the laws that already exist. Now they are making it impossible to enforce these laws by cutting back on the scope of the funding, placing restrictions on what can be done, and taking the already weak and porous gun safety legislation and rendering it almost meaningless. Every individual has the right to freedom from the threat of gun violence. Yet, gun violence continues to be an epidemic of enormous proportions year after year. In 2000, there were 28,663 gun deaths in the United States, 10,801 of which were homicides. These numbers are drastically larger than those of any other developed nation. Clearly we are not doing enough to protect our citizens from gun violence.

This bill seriously weakens the reporting and licensing laws for gun dealers. Under current law it is already too easy for a convicted felon to purchase a weapon with the aid of a companion. Registration and licensing requirements are strong tools to keep our cities safe. In Massachusetts, a state which requires both registration and licensing, 69 percent of guns used to commit crimes were purchased out of state. In states which have neither licensing nor registration requirements, 89 percent of guns used in crimes are purchased in-state. Gun registration and licensing is a patchwork, state by state system of gun-control which allows criminals access to legitimately purchased guns. This bill will weaken already insufficient gun safety laws, putting the citizens of our nation in harm's way.

While I am concerned with the funding level of the PTFP and the language included regarding BATF licensing of firearms dealers, I vote in support of this bill to move the appropriations process forward. I call on the conference committee to work to address these shortfalls before reporting the bill back for final approval.

Mr. DAVIS of Illinois. Mr. Chairman, I rise today in opposition to the violation imposed on women prisoners' right to reproductive choice. Abortion has been legal in this country for more than thirty years. *Roe v. Wade* did not lay out specifics that only white women or black women could get an abortion, that only the rich or the poor could have this health care service or that is to be taken away if a woman is imprisoned.

In 1993, Congress lifted the six year funding restriction that had prohibited the use of federal funds to provide abortion services to women in federal prison. After the restrictions were lifted, the Bureau of Prisons required medical, religious or social counseling sessions for women seeking these services. The Bureau even took the steps to respect others views by not requiring the participation of any staff personnel that personally did not agree with reproductive choice. Yet in 1995, the funding restriction was put back in place and once again, women prisoners were denied their reproductive choice.

All the cards are stacked against women in prison. In the last decade, the number of women in federal prison has increased by 182 percent, compared to 152 percent for men,

making women 7.5 percent of the prison population. The rates of infection for HIV and AIDS in women exceed the rate of infection for men in prison with the number of infected women increasing by more than 88 percent since 1991. Amnesty International USA released a report in 1999 revealing that gynecological services, in general, for women in prisons were inadequate and of poor quality. Many women prisoners are victims of physical or sexual abuse and vulnerable to sexual abuse or misconduct by correctional officers.

Now imagine a women in prison being in those conditions, with those circumstances being isolated from family and friends, not earning meaningful compensation from prison jobs, and being pregnant knowing she will receive poor prenatal care, the loss of custody upon the birth, and without the ability to make a decision on her reproductive rights. These women are completely dependent on the health care services provided by the Bureau of Prisons. This ban prevents them from seeking needed reproductive health care and prohibits them from having a reproductive choice.

Mr. VAN HOLLEN. Mr. Chairman, it is with great reluctance that I oppose this bill. However, I cannot support a bill that makes such deep cuts in investments important to our nation.

Mr. Chairman, among the many egregious cuts in this bill, this Commerce-Justice-State Appropriations bill for 2004 decreases funding for two critical agencies—the National Oceanic and Atmospheric Administration, NOAA, and the National Institute of Standards and Technology, NIST.

The bill appropriates 6 percent less, or \$181 million, than the current fiscal year for NOAA programs, and is even 8 percent less than the President's request for 2004.

The bill also funds several distinct programs within NOAA, which will also suffer serious cuts. The National Weather Service, while receiving a small 3 percent increase over the current fiscal year, will actually receive \$24 million below the President's request. The National Ocean Service will receive 16 percent less than the current fiscal year. The National Marine Fisheries Service will suffer a 19 percent cut. Funding for programs in Oceanic & Atmospheric Research will decrease by 18 percent. Finally, funding for the National Environmental Satellite Service will decrease by \$3 million.

Mr. Chairman, these are programs that serve the public good in a variety of important ways. They help advance America's commerce, promote environmental protection, preserve our fisheries and other natural resources, and protect lives by monitoring the weather. We are doing a great disservice to the American people by slashing these programs.

Cuts to the National Institute of Standards & Technology, NIST, are just as troubling. This appropriations bill provides a staggering 35 percent less than the current fiscal year. This is a terrible blow to scientific research—the key to our future if we are to compete in the global marketplace.

For example, this bill provides no funds for the Advanced Technology Program started by the Clinton administration to assist the development and utilization of new technologies by the private sector. This could result in a reduction-in-force of as many as 250 NIST personnel from a program that works well.

In fact, the net impact of this bill could be a reduction-in-force of up to 300 people, roughly 10 percent of the NIST staff. Cost-of-living adjustments are not fully funded in this bill, forcing other programs within NIST to absorb \$6.8 million in costs. This could well result in the loss of 50 NIST personnel through attrition or reductions-in-force.

For my constituents, these are devastating cuts. But these cuts are just as significant to the American people outside my area because these cuts in scientific research will curtail NIST's ability to address America's national priorities.

This bill does not fully fund the majority of NIST's proposed initiatives. In some cases, funding is completely wiped. Delays or underinvestment in measurement science now will have significant future impact—delaying the commercialization of emerging technologies. The House Committee's allowance for NIST's efforts related to development of the standards, technology, and practices needed for the cost-effective safety and security of buildings and technical support of fire fighting communities, including emergency response, is less than half of what is required. As a result, the standards and measurements support for upgrading the capabilities of the Nation's fire fighters and the emergency response communities will be significantly delayed. In addition, the shortfall in nanotechnology funding will delay NIST's critical contributions to the National Nanotechnology Initiative.

This bill also does not provide the full funding requested to equip and maintain the new Advanced Measurement Laboratory (AML). Lack of funding for the proper maintenance and operation of the building and the equipment necessary to realize the capabilities of the AML will severely hamper NIST's ability to provide industry and science with the ever more accurate and demanding measurements and standards needed to support advances in nanotechnology, biotechnology, information technology, advanced materials, new manufacturing technology, and other key growth areas. To construct this world-class facility, and then to short-change its maintenance, operation, and equipment needs is inconsistent with the \$235 million investment made in the construction of the AML.

Mr. Chairman, some of these programs may seem mundane to many of us in this chamber. But these are crucial scientific programs that will have long-range benefits for all Americans.

Mr. Chairman, we need to ask: are we really helping the American people by slashing these programs? The answer, clearly, is no. These cuts are the price we must pay for an ill-conceived budget and tax policy.

Mr. Chairman, I hope to be able to support this bill when it emerges from Conference. I am grateful to the Ranking Member of the Subcommittee, Mr. SERRANO, for agreeing to work with me to address the concerns I have expressed.

Mr. UDALL of Colorado. Mr. Chairman, the serious effects this bill will have on my district and on the nation are explained in news stories from several Colorado newspapers, which I am including for the interest of my colleagues.

[From the Rocky Mountain News, July 23, 2003]

COLORADO SCIENCE JOBS ON THE LINE  
(By M.E. Sprengelmeyer)

WASHINGTON.—Congress is considering deep cuts in federal research funds that would

cause an estimated 190 Colorado scientists to lose their jobs.

About \$14 million in cuts to the National Oceanic and Atmospheric Administration projects in Colorado, and additional cuts to the National Institute of Standards and Technology, were contained in an appropriations bill being considered by the House of Representatives late Tuesday.

If approved as expected, they still must be considered by the U.S. Senate.

"Obviously, it has me gravely concerned," said Susan Avery, director of the University of Colorado Cooperative Institute for Research in the Environmental Sciences. "These are cuts that could be very detrimental to our research programs."

The cuts are contained in a \$38.6 billion appropriations package for the Commerce, Justice and State departments and the federal judiciary.

The bill would cut \$3 million from the Space Environment Center in Boulder and \$6.7 million from climate and global change programs. Meanwhile, the bill would eliminate a \$4.5 million line item meant to cover rent on NOAA facilities in Boulder, meaning those expenses would have to come out of other programs, such as research funds.

NIST would lose about 300 jobs nationwide, including about 60 in Boulder, said Representative Mark Udall, a Boulder Democrat, who tried unsuccessfully to reserve the cuts on the House floor.

"It is one thing to make government leaner. It is another thing to cut jobs year in and year out at facilities all over the country," Udall said in a release.

Avery said the cuts would affect research at both the University of Colorado and Colorado State University, including climate modeling programs and research into weather phenomenon such as El Niño and La Niña.

"Unless the bill is greatly improved in a House-Senate conference committee, it will continue a pattern of bleeding these agencies dry," Udall said.

If approved by the House, the bill would move to the Senate, where state researchers hope the cuts will be reversed by Sen. Ben Nighthorse Campbell, an Ignacio Republican and a member of the Appropriations Committee.

"Senator Campbell has a lot in his hands right now because he could do it," Avery said. "He could make it happen. A lot rides on him."

Camden Hubbard, a spokeswoman for Campbell, said his office is researching the issue.

"He needs to look into it and see exactly what is being cut and make a decision accordingly," Hubbard said. "I have to tell you, money is really tight this year . . . he will see what he can do."

[From the Boulder Daily Camera, July 23, 2003]

SCIENCE COMMUNITY FACES CUTS  
(By Kate Larsen)

The U.S. House of Representatives approved federal budget cuts Tuesday that could cost Boulder's science community \$14 million and nearly 200 jobs, U.S. Rep. Mark Udall's staff said.

The 2004 House Commerce, Justice and State spending bill includes large cuts—for the second consecutive year—to Boulder's National Oceanic and Atmospheric Administration and many labs connected to it. The bill reflects a radical difference in the suggested appropriation from President Bush.

If the Senate passes a similar bill, and the cuts clear a joint conference committee and are approved by the president, local research on climate, air quality and space environmental hazards would be affected.

"It is one thing to make government leaner; it is another thing to cut jobs year in and year out at facilities all over the country," Udall, D-Colo., said in a statement.

Camden Hubbard, spokeswoman U.S. Sen. Ben Nighthorse Campbell, R-Colo., warned that is still early in the process. The Senate has yet to take on this issue.

"Money is very tight and (Sen. Campbell's) going to be looking into this situation to see if these cuts are a good idea or a bad idea," Hubbard said.

The proposed cuts would come on top of \$7 million in cuts NOAA and other labs endured this year.

"Very important weather and climate research would have to be terminated," said Alexander MacDonald, director of NOAA's forecast systems laboratory.

NOAA's Space Environment Center is facing about \$3 million in cuts for 2004. The lab provides forecasts of solar storms for NASA, commercial aviation, the military and power companies.

Severe weather forecasts, long-term and seasonal climate changes also would suffer, MacDonald said. Similar to this year's cuts, this round also withholds a \$4.5 million appropriation for rent at NOAA.

The Cooperative Institute for Research in Environmental Sciences—a partnership between the University of Colorado and NOAA—and other labs affiliated with NOAA stand to lose an estimated \$6.7 million, said agency Interim Director Koni Steffen.

"It's not something where you can just do less science—you have to lay off people," Steffen said. "Our reputation certainly is at stake here."

FEDS TO CUT RESEARCH DOLLARS  
(By Sarah-Jane Wilton)

Officials at the University of Colorado Boulder campus Tuesday called for action from the U.S. Senate to prevent massive cuts in federal funding for research labs across the state, many of which have strong ties with the university.

The U.S. Congress was scheduled to vote on the Commerce, Justice and State appropriations bill for the 2004 fiscal year Tuesday evening, which could see \$14 million cut from the National Oceanic and Atmospheric Administration (NOAA) labs and from the National Institutes of Standards and Technology (NIST).

NOAA provides \$6.7 million in crucial funding for the Colorado Cooperative Institute for Research in the Environmental Sciences (CIRES), the University Corporation for Atmospheric Research (UCAR), and the National Center for Atmospheric Research (NCAR).

CU could be one of 40 leading research universities with research projects funded by NOAA facing cuts.

According to Lawrence Pacheco, spokesman for Congressman Mark Udall, explained that \$4.5 million of NOAA's funding is used covering the organization's rent.

Pacheco said, "130 people will lose their jobs . . . from NOAA alone. Not only can they (cut the funding), they are doing it."

Pacheco said that Udall has been working with the research community to try to restore the funding.

Associate Vice Chancellor for Research at the Boulder campus, Carol Lynch, said that CU-Boulder would be impacted more directly by the cuts to NOAA than those to NIST, both of which have intimate relations with two of CU-Boulder institutes, CIRES and JILA.

"If NOAA is cut, it would maybe not destroy CIRES, but come close to it," said Lynch. "We would really have to restructure that institute into something significantly smaller."

Both CIRES and JILA are cooperative entities within the university, receiving block funding from NOAA as well as a share of lab resources and personnel.

"The cuts that (Congress) are proposing are just absolutely drastic," said Lynch.

Among other projects, NOAA conducts research in climate diagnostics that provide crucial understanding of global warming, weather and climate patterns and the impact of atmospheric conditions.

"This is not just fun and games sciences—this is really important areas of research," said Lynch.

Although Lynch was not sure of the exact amount of funding CIRES received, she thought it was well over half the institute's budget.

"If these cuts go through we will have a very different institute with far less ability to manage the science that they have been mandated to manage," said Lynch.

Lynch has not seen a detailed analysis on where cuts would come and which programs would be targeted. But she said much of the staff support was funded by grant-support from NOAA.

Cuts would also hinder the ability of CIRES to undertake new initiatives, such as the recent study on "Water in the West."

Lynch said serious budget cuts could impact the intellectual environment of the campus.

"I would worry about losing faculty," said Lynch. "We have some very high-quality faculty (working at CIRES)."

Undergraduate, graduate and post-doctoral students have always had great support in

their research at CIRES, and this would also be in jeopardy, she said.

Chair of the Council of Boulder Laboratories Directors, Randall Dole, who is also Director of the Climate Diagnostics Center said that until the cuts were finalized it would be hard to say exactly how much staff would be laid off.

"This is not just a NOAA problem—frankly this is a Colorado problem," said Dole. "Because it seats back in the whole community, you could see the potential for manifold effects which go beyond the loss of 50-100 jobs."

Dole said there was no question of the impact the cuts would have on the volume and the rate of progress of research being conducted by the various organizations, much of which focuses greatly on the state's drought, ozone and climate issues.

Pacheco said he was certain Congress would approve the bill, the U.S. could amend it.

Mr. MATHESON. Mr. Chairman, over the last few months, I have met with local law enforcement in Utah and the message is loud and clear, COPS and Byrne grants are efficient and effective programs. As a result of these meetings, I fought hard to preserve some of the most basic and fundamental law enforcement funding mechanisms offered by the federal government.

The number one program that Utah law enforcement officers bring to my attention is the importance of the Byrne Grant program. This partnership among federal, state, and local

governments creates safer communities by providing funds for personnel, equipment, training, technical assistance, and information systems for more widespread apprehension, prosecution, adjudication, detention, and rehabilitation of offenders who violate such state and local laws.

Another successful program is Community Oriented Policing Services, COPS. Since its inception in 1994, the COPS program has been one of the most successful law enforcement grant programs in American history. A central goal of the COPS Office is to help law enforcement agencies implement and enhance community-based policing, and this program in particular has been successful in Utah.

While I am pleased to see that the House Appropriations Committee provided \$683 million for the Community Oriented Policing Services, COPS program, it deserves more funding. I am happy that the House Appropriations Committee funded the Byrne Formula Grants at \$500 million. This grant program is vital to local law enforcement in Utah. It is my hope that Congress and the Administration can recognize the value of these programs and that in the future we can work toward full funding.

Mr. WOLF. Mr. Chairman, the following table details budget authority of the Commerce, Justice, State, the Judiciary, and Related Agencies:

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004 (H.R. 2799)  
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>TITLE I - DEPARTMENT OF JUSTICE</b>					
<b>General Administration</b>					
Salaries and expenses.....	90,477	133,772	106,664	+16,187	-27,108
Supplemental appropriations (P.L. 108-11).....	5,000	---	---	-5,000	---
Joint automated booking system.....	15,869	---	---	-15,869	---
Automated Biometric Identification System-Integrated					
Identification system integration.....	8,941	---	---	-8,941	---
Identification systems integration.....	---	34,077	20,677	+20,677	-13,400
Legal activities office automation.....	15,838	---	30,136	+14,298	+30,136
Narrowband communications.....	63,936	140,083	103,171	+39,235	-36,912
Transfer from Treasury.....	7,391	---	---	-7,391	---
Counterterrorism fund.....	993	---	1,000	+7	+1,000
Supplemental appropriations (P.L. 108-11).....	20,000	---	---	-20,000	---
Administrative review and appeals.....	190,290	197,420	193,530	+3,240	-3,890
Detention trustee.....	768,578	810,125	810,125	+41,547	---
Supplemental appropriations (P.L. 108-11).....	40,000	---	---	-40,000	---
Office of Inspector General.....	51,599	62,029	56,245	+4,646	-5,784
Supplemental appropriations (P.L. 108-11).....	2,500	---	---	-2,500	---
Total, General administration.....	1,281,412	1,377,506	1,321,548	+40,136	-55,958
<b>United States Parole Commission</b>					
Salaries and expenses.....	10,420	11,051	10,609	+189	-442
<b>Legal Activities</b>					
General legal activities:					
Direct appropriation.....	605,368	663,350	618,537	+13,169	-44,813
Radiation exposure compensation act.....	1,983	---	---	-1,983	---
Non-defense.....	---	1,996	1,996	+1,996	---
Subtotal.....	607,351	665,346	620,533	+13,182	-44,813
Vaccine injury compensation trust fund (permanent)....	4,002	4,028	4,028	+26	---
Legal activities office automation.....	---	33,240	---	---	-33,240
Antitrust Division.....	133,133	141,898	128,133	-5,000	-13,765
Offsetting fee collections - current year.....	-133,133	-112,000	-112,000	+21,133	---
Direct appropriation.....	---	29,898	16,133	+16,133	-13,765
United States Attorneys.....	1,493,993	1,556,784	1,526,253	+32,260	-30,531
United States Trustee System Fund.....	155,736	175,172	166,157	+10,421	-9,015
Offsetting fee collections.....	-149,736	-167,172	-158,157	-8,421	+9,015
Interest on U.S. securities.....	-6,000	-8,000	-8,000	-2,000	---
Direct appropriation.....	---	---	---	---	---
Foreign Claims Settlement Commission.....	1,129	1,212	1,205	+76	-7
United States Marshals Service:					
Salaries and expenses (non-CSE).....	676,051	720,806	678,672	+2,621	-42,134
Supplemental appropriations (P.L. 108-11).....	8,000	---	---	-8,000	---
Construction.....	15,028	---	---	-15,028	---
Total, United States Marshals Service.....	699,079	720,806	678,672	-20,407	-42,134
Fees and expenses of witnesses.....	175,645	156,145	156,145	-19,500	---
Community Relations Service.....	9,412	9,526	9,526	+114	---
Assets forfeiture fund.....	21,759	22,949	21,759	---	-1,190
Total, Legal activities.....	3,012,370	3,199,934	3,034,254	+21,884	-165,680
<b>Interagency Law Enforcement</b>					
Interagency crime and drug enforcement.....	369,712	541,844	---	-369,712	-541,844



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(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
<hr/>					
Federal Bureau of Investigation					
Salaries and expenses.....	3,680,923	4,149,465	4,086,626	+405,703	-62,839
Supplemental appropriations (P.L. 108-11).....	367,192	---	---	-367,192	---
Counterintelligence and national security.....	472,211	490,104	490,104	+17,893	---
Direct appropriation.....	4,520,326	4,639,569	4,576,730	+56,404	-62,839
Foreign terrorist tracking task force.....	61,597	---	61,597	---	+61,597
Construction.....	1,242	---	1,242	---	+1,242
Total, Federal Bureau of Investigation.....	4,583,165	4,639,569	4,639,569	+56,404	---
=====					
Drug Enforcement Administration					
Salaries and expenses.....	1,639,223	1,677,304	1,719,888	+80,665	+42,584
Diversion control fund.....	-88,450	-118,561	-118,561	-30,111	---
Subtotal.....	1,550,773	1,558,743	1,601,327	+50,554	+42,584
Interagency drug enforcement.....	---	---	556,465	+556,465	+556,465
Total, Drug Enforcement Administration.....	1,550,773	1,558,743	2,157,792	+607,019	+599,049
=====					
Bureau of Alcohol, Tobacco and Firearms.....	788,273	838,987	831,199	+42,926	-7,788
GREAT grants.....	12,915	13,000	---	-12,915	-13,000
Total.....	801,188	851,987	831,199	+30,011	-20,788
=====					
Federal Prison System					
Salaries and expenses.....	4,044,788	4,677,214	4,461,257	+416,469	-215,957
Buildings and facilities.....	396,632	---	202,840	-193,792	+202,840
Rescission.....	---	-187,900	---	---	+187,900
Federal Prison Industries, Incorporated (limitation on administrative expenses).....	3,407	3,429	3,429	+22	---
Total, Federal Prison System.....	4,444,827	4,492,743	4,667,526	+222,699	+174,783
=====					
Office of Justice Programs					
Justice assistance.....	199,983	2,136,423	209,131	+9,148	-1,927,292
(By transfer).....	(6,632)	---	(6,632)	---	(+6,632)
Rescission.....	---	-11,622	---	---	+11,622
Total, Office of Justice Programs.....	199,983	2,124,801	209,131	+9,148	-1,915,670
=====					
State and local law enforcement assistance:					
Local law enforcement block grant.....	397,400	---	400,000	+2,600	+400,000
Boys and Girls clubs (earmark).....	(79,480)	---	(80,000)	(+520)	(+80,000)
National Institute of Justice (earmark).....	(19,870)	---	(20,000)	(+130)	(+20,000)
USA FREEDOM corps (earmark).....	(2,981)	---	(5,000)	(+2,019)	(+5,000)
Indian assistance.....	17,883	---	13,000	-4,883	+13,000
Tribal prison construction.....	(4,968)	---	---	(-4,968)	---
Indian tribal courts program.....	(7,948)	---	(8,000)	(+52)	(+8,000)
Indian grants.....	(4,968)	---	(5,000)	(+32)	(+5,000)
State criminal alien assistance program.....	248,375	---	400,000	+151,625	+400,000
Cooperative agreement program.....	4,968	---	2,500	-2,468	+2,500
Byrne grants (formula).....	496,750	---	500,000	+3,250	+500,000
Byrne grants (discretionary).....	149,933	---	115,000	-34,933	+115,000
Juvenile crime block grant.....	188,765	---	---	-188,765	---
Drug courts.....	44,708	---	55,000	+10,292	+55,000
State prison drug treatment.....	64,577	---	70,000	+5,423	+70,000
Other crime control programs.....	5,653	---	5,361	-292	+5,361
Assistance for victims of trafficking.....	9,935	---	10,000	+65	+10,000
Violence against women prevention and prosecution	387,629	---	---	-387,629	---
Prescription drug monitoring.....	7,451	---	10,000	+2,549	+10,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003  
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	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Prison rape prevention.....	12,915	---	60,000	+47,085	+60,000
Terrorism prevention and response training.....	14,902	---	---	-14,902	---
Prior year unobligated balances.....	-20,854	---	---	+20,854	---
Total, State and local law enforcement.....	2,030,990	---	1,640,861	-390,129	+1,640,861
Weed and seed program fund.....	58,542	---	51,811	-6,731	+51,811
Community oriented policing services:					
Hiring.....	198,700	---	---	-198,700	---
Training and technical assistance.....	20,528	20,662	20,662	+134	---
Bullet proof vests.....	25,279	---	25,000	-279	+25,000
Tribal law enforcement.....	34,773	30,000	30,000	-4,773	---
Meth hot spots.....	56,761	20,000	60,000	+3,239	+40,000
Police corps.....	14,903	---	28,315	+13,412	+28,315
COPS technology.....	188,719	50,000	100,000	-88,719	+50,000
Interoperable communications.....	19,870	---	---	-19,870	---
Supplemental appropriations (P.L. 108-11).....	54,750	---	---	-54,750	---
Criminal records upgrade.....	39,740	---	56,924	+17,184	+56,924
DNA backlog/crime lab.....	81,009	---	174,353	+93,344	+174,353
Paul Coverdell forensics science.....	---	---	5,000	+5,000	+5,000
Crime identification technology.....	68,626	---	---	-68,626	---
Gun violence reduction.....	44,708	---	45,000	+292	+45,000
Southwest border prosecutors.....	39,740	---	40,000	+260	+40,000
Project sentry.....	9,935	---	---	-9,935	---
Offender reentry.....	14,837	---	13,504	-1,333	+13,504
Safe schools initiative.....	15,111	---	---	-15,111	---
Police integrity grants.....	16,853	16,963	17,000	+147	+37
DC Circuit Court and fugitive apprehension.....	---	---	41,105	+41,105	+41,105
Management and administration.....	32,782	26,130	26,130	-6,652	---
Rescission.....	---	-6,378	---	---	+6,378
Total, Community oriented policing services.....	977,624	157,377	682,993	-294,631	+525,616
Violence against women prevention and prosecution.....	---	---	387,629	+387,629	+387,629
Juvenile justice programs.....	273,517	---	462,282	+188,765	+462,282
(Transfer out).....	(-6,632)	---	(-6,632)	---	(-6,632)
Public safety officers benefits:					
Death benefits.....	49,054	49,054	49,054	---	---
Disability and education benefits.....	3,974	---	7,500	+3,526	+7,500
Total, Public safety officers benefits program..	53,028	49,054	56,554	+3,526	+7,500
Total, Office of Justice Programs.....	3,593,684	2,331,232	3,491,261	-102,423	+1,160,029
Total, title I, Department of Justice.....	19,647,551	19,004,609	20,153,758	+506,207	+1,149,149
(Transfer out).....	(-6,632)	---	(-6,632)	---	(-6,632)
(By transfer).....	(6,632)	---	(6,632)	---	(+6,632)
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TITLE II - DEPARTMENT OF COMMERCE AND RELATED AGENCIES					
TRADE AND INFRASTRUCTURE DEVELOPMENT					
RELATED AGENCIES					
Office of the United States Trade Representative					
Salaries and expenses.....	34,772	36,994	41,994	+7,222	+5,000
European communities music licensing dispute (P.L. 108-11).....	3,300	---	---	-3,300	---

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	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
<hr/>					
International Trade Commission					
Salaries and expenses.....	53,649	58,295	57,000	+3,351	-1,295
Total, Related agencies.....	91,721	95,289	98,994	+7,273	+3,705
=====					
DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration.....	367,838	395,123	395,123	+27,285	---
Offsetting fee collections.....	-8,000	-13,000	-13,000	-5,000	---
Direct appropriation.....	359,838	382,123	382,123	+22,285	---
Bureau of Industry and Security					
Operations and administration.....	59,088	78,169	61,000	+1,912	-17,169
CWC enforcement.....	7,203	---	7,203	---	+7,203
Total, Bureau of Industry and Security.....	66,291	78,169	68,203	+1,912	-9,966
Economic Development Administration					
Economic development assistance programs.....	288,115	331,027	288,115	---	-42,912
Salaries and expenses.....	30,565	33,377	30,565	---	-2,812
Total, Economic Development Administration.....	318,680	364,404	318,680	---	-45,724
Minority Business Development Agency					
Minority business development.....	28,718	29,487	29,000	+282	-487
Total, Trade and Infrastructure Development.....	865,248	949,472	897,000	+31,752	-52,472
=====					
ECONOMIC AND INFORMATION INFRASTRUCTURE					
Economic and Statistical Analysis					
Salaries and expenses.....	71,689	84,756	75,000	+3,311	-9,756
Bureau of the Census					
Salaries and expenses.....	181,811	220,908	220,908	+39,097	---
Periodic censuses and programs.....	369,067	441,053	441,053	+71,986	---
Total, Bureau of the Census.....	550,878	661,961	661,961	+111,083	---
National Telecommunications and Information Administration					
Salaries and expenses.....	14,604	18,869	14,604	---	-4,265
Public telecommunications facilities, planning and construction.....	43,273	2,538	2,538	-40,735	---
Information infrastructure grants.....	15,402	---	15,402	---	+15,402
Total, National Telecommunications and Information Administration.....	73,279	21,407	32,544	-40,735	+11,137
United States Patent and Trademark Office					
Current year fee funding.....	1,015,229	1,203,055	1,138,700	+123,471	-64,355
Prior year carryover.....	166,771	---	100,000	-66,771	+100,000

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	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
New fees (proposed legislation).....	---	192,000	---	---	-192,000
Total, Patent and Trademark Office.....	1,182,000	1,395,055	1,238,700	+56,700	-156,355
Offsetting fee collections.....	-1,015,229	-1,203,055	-1,238,700	-223,471	-35,645
	=====	=====	=====	=====	=====
Total, Economic and Information Infrastructure..	862,617	960,124	769,505	-93,112	-190,619
	=====	=====	=====	=====	=====
SCIENCE AND TECHNOLOGY					
Technology Administration					
Office of Technology Policy					
Salaries and expenses.....	9,822	8,015	7,822	-2,000	-193
National Institute of Standards and Technology					
Scientific and technical research and services.....	357,075	379,849	357,862	+787	-21,987
Industrial technology services.....	284,760	39,607	39,607	-245,153	---
Construction of research facilities.....	65,670	69,590	62,590	-3,080	-7,000
Working capital fund.....	---	7,772	---	---	-7,772
	=====	=====	=====	=====	=====
Total, National Institute of Standards and Technology.....	707,505	496,818	460,059	-247,446	-36,759
National Oceanic and Atmospheric Administration					
Operations, research, and facilities.....	2,298,481	2,389,300	2,180,454	-118,027	-208,846
(By transfer from Promote and Develop Fund).....	(65,000)	(75,000)	(79,251)	(+14,251)	(+4,251)
(By transfer from Coastal zone management).....	---	3,000	---	---	-3,000
	=====	=====	=====	=====	=====
Total, Operations, research, and facilities.....	2,298,481	2,392,300	2,180,454	-118,027	-211,846
Procurement, acquisition and construction.....	754,096	842,399	794,059	+39,963	-48,340
Supplemental appropriations (P.L. 108-11).....	65,000	---	---	-65,000	---
	=====	=====	=====	=====	=====
Total, Procurement, acquisition and construction	819,096	842,399	794,059	-25,037	-48,340
Pacific coastal salmon recovery.....	129,155	90,000	90,000	-39,155	---
Coastal zone management fund.....	-3,000	-3,000	-3,000	---	---
Fishermen's contingency fund.....	1	956	---	-1	-956
Foreign fishing observer fund.....	1	191	---	-1	-191
Fisheries finance program account.....	-8,000	-4,000	-7,000	+1,000	-3,000
	=====	=====	=====	=====	=====
Total, National Oceanic and Atmospheric Administration.....	3,235,734	3,318,846	3,054,513	-181,221	-264,333
	=====	=====	=====	=====	=====
Total, Science and Technology.....	3,953,061	3,823,679	3,522,394	-430,667	-301,285
	=====	=====	=====	=====	=====
Departmental Management					
Salaries and expenses.....	44,662	57,191	44,662	---	-12,529
		13,378	22,000	+1,499	-1,378
	=====	=====	=====	=====	=====
Total, Departmental management.....	65,163	80,569	66,662	+1,499	-13,907
Tourism promotion (sec. 210).....	49,675	---	---	-49,675	---
	=====	=====	=====	=====	=====
Total, Department of Commerce.....	5,704,043	5,718,555	5,156,567	-547,476	-561,988
	=====	=====	=====	=====	=====
Total, title II, Department of Commerce and related agencies.....	5,795,764	5,813,844	5,255,561	-540,203	-558,283
Appropriations.....	(5,795,764)	(5,813,844)	(5,255,561)	(-540,203)	(-558,283)
(By transfer).....	(65,000)	(75,000)	(79,251)	(+14,251)	(+4,251)
	=====	=====	=====	=====	=====

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	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>TITLE III - THE JUDICIARY</b>					
Supreme Court of the United States					
Salaries and expenses:					
Salaries of justices.....	1,872	1,896	1,896	+24	---
Other salaries and expenses.....	43,586	55,581	53,464	+9,878	-2,117
Supplemental appropriations (P.L. 108-11).....	1,535	---	---	-1,535	---
Total, Salaries and expenses.....	46,993	57,477	55,360	+8,367	-2,117
Care of the building and grounds.....	41,355	4,658	10,591	-30,764	+5,933
Total, Supreme Court of the United States.....	88,348	62,135	65,951	-22,397	+3,816
United States Court of Appeals for the Federal Circuit					
Salaries and expenses:					
Salaries of judges.....	2,225	2,237	2,237	+12	---
Other salaries and expenses.....	17,970	20,185	18,428	+458	-1,757
Supplemental appropriations (P.L. 108-11).....	973	---	---	-973	---
Total, Salaries and expenses.....	21,168	22,422	20,665	-503	-1,757
United States Court of International Trade					
Salaries and expenses:					
Salaries of judges.....	1,678	1,721	1,721	+43	---
Other salaries and expenses.....	11,931	12,485	12,347	+416	-138
Supplemental appropriations (P.L. 108-11).....	50	---	---	-50	---
Total, Salaries and expenses.....	13,659	14,206	14,068	+409	-138
Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and expenses:					
Salaries of judges and bankruptcy judges.....	263,854	274,504	274,504	+10,650	---
Other salaries and expenses.....	3,513,161	3,913,848	3,729,672	+216,511	-184,176
Direct appropriation.....	3,777,015	4,188,352	4,004,176	+227,161	-184,176
Vaccine Injury Compensation Trust Fund.....	2,766	3,293	3,293	+527	---
Defender services.....	534,961	635,481	613,948	+78,987	-21,533
Fees of jurors and commissioners.....	54,281	53,181	53,181	-1,100	---
Court security.....	266,655	311,171	288,941	+22,286	-22,230
Total, Courts of Appeals, District Courts, and Other Judicial Services.....	4,635,678	5,191,478	4,963,539	+327,861	-227,939
Administrative Office of the United States Courts					
Salaries and expenses.....	63,087	71,908	66,968	+3,881	-4,940
Federal Judicial Center					
Salaries and expenses.....	20,720	21,660	21,440	+720	-220
Judicial Retirement Funds					
Payment to Judiciary Trust Funds.....	35,300	29,000	29,000	-6,300	---
United States Sentencing Commission					
Salaries and expenses.....	12,011	13,200	12,746	+735	-454

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004 (H.R. 2799)  
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
<hr/>					
General Provisions					
Judges pay raise (sec. 304).....	---	4,000	---	---	-4,000
	=====	=====	=====	=====	=====
Total, title III, the Judiciary.....	4,889,971	5,430,009	5,194,377	+304,406	-235,632
	=====	=====	=====	=====	=====
TITLE IV - DEPARTMENT OF STATE AND RELATED AGENCY					
Administration of Foreign Affairs					
Diplomatic and consular programs.....	3,248,008	3,516,843	3,453,260	+205,252	-63,583
(Transfer out).....	(-4,000)	(-4,000)	(-4,000)	---	---
Supplemental appropriations (P.L. 108-11).....	98,420	---	---	-98,420	---
Worldwide security upgrades.....	549,405	646,701	646,701	+97,296	---
	-----	-----	-----	-----	-----
Total, Diplomatic and consular programs.....	3,895,833	4,163,544	4,099,961	+204,128	-63,583
Capital investment fund.....	182,119	157,000	142,000	-40,119	-15,000
Office of Inspector General.....	29,074	31,703	29,777	+703	-1,926
Educational and cultural exchange programs.....	243,712	345,346	345,346	+101,634	---
Representation allowances.....	6,443	9,000	9,000	+2,557	---
Protection of foreign missions and officials.....	10,929	10,000	10,000	-929	---
Embassy security, construction, and maintenance.....	505,195	653,000	532,935	+27,740	-120,065
Supplemental appropriations (P.L. 108-11).....	149,500	---	---	-149,500	---
Worldwide security upgrades.....	750,093	861,400	861,400	+111,307	---
Emergencies in the diplomatic and consular service....	6,458	1,000	1,000	-5,458	---
Supplemental appropriations (P.L. 108-11).....	50,000	---	---	-50,000	---
(By transfer).....	(4,000)	(4,000)	(4,000)	---	---
(Transfer out).....	(-1,000)	(-1,000)	(-1,000)	---	---
Repatriation Loans Program Account:					
Direct loans subsidy.....	608	612	612	+4	---
Administrative expenses.....	603	607	607	+4	---
(By transfer).....	(1,000)	(1,000)	(1,000)	---	---
	-----	-----	-----	-----	-----
Total, Repatriation loans program account.....	1,211	1,219	1,219	+8	---
Payment to the American Institute in Taiwan.....	18,330	19,773	18,782	+452	-991
Payment to the Foreign Service Retirement and Disability Fund.....	138,200	134,979	134,979	-3,221	---
	-----	-----	-----	-----	-----
Total, Administration of Foreign Affairs.....	5,987,097	6,387,964	6,186,399	+199,302	-201,565
International Organizations					
Contributions to international organizations, current year assessment.....	860,371	1,010,463	1,010,463	+150,092	---
Contributions for international peacekeeping activities, current year.....	669,331	550,200	550,200	-119,131	---
	-----	-----	-----	-----	-----
Total, International Organizations and Conferences.....	1,529,702	1,560,663	1,560,663	+30,961	---
International Commissions					
International Boundary and Water Commission, United States and Mexico:					
Salaries and expenses.....	25,316	31,562	25,668	+352	-5,894
Construction.....	5,415	8,901	5,500	+85	-3,401
American sections, international commissions.....	9,410	11,204	8,944	-466	-2,260
International fisheries commissions.....	16,989	20,043	16,989	---	-3,054
	-----	-----	-----	-----	-----
Total, International commissions.....	57,130	71,710	57,101	-29	-14,609
Other					
Payment to the Asia Foundation.....	10,376	9,250	10,376	---	+1,126
Eisenhower Exchange Fellowship program.....	497	500	500	+3	---
Israeli Arab scholarship program.....	373	375	375	+2	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003  
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(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
East-West Center.....	17,883	14,280	---	-17,883	-14,280
National Endowment for Democracy.....	41,727	36,000	42,000	+273	+6,000
Total, Department of State.....	7,644,785	8,080,742	7,857,414	+212,629	-223,328
RELATED AGENCY					
Broadcasting Board of Governors					
International Broadcasting Operations.....	465,850	525,204	552,105	+86,255	+26,901
Supplemental appropriations (P.L. 108-11).....	30,500	---	---	-30,500	---
Broadcasting to Cuba.....	24,834	26,901	---	-24,834	-26,901
Broadcasting capital improvements.....	12,657	11,395	11,395	-1,262	---
Total, Broadcasting Board of Governors.....	533,841	563,500	563,500	+29,659	---
Total, title IV, Department of State.....	8,178,626	8,644,242	8,420,914	+242,288	-223,328
(Transfer out).....	(-5,000)	(-5,000)	(-5,000)	---	---
(By transfer).....	(5,000)	(5,000)	(5,000)	---	---
TITLE V - RELATED AGENCIES					
Antitrust Modernization Commission					
Salaries and expenses.....	---	---	1,499	+1,499	+1,499
Commission for the Preservation of America's Heritage Abroad					
Salaries and expenses.....	496	499	499	+3	---
Commission on Civil Rights					
Salaries and expenses.....	9,037	9,096	9,096	+59	---
Commission on International Religious Freedom					
Salaries and expenses.....	2,865	3,000	3,000	+135	---
Commission on Ocean Policy					
Salaries and expenses.....	1,987	---	---	-1,987	---
Commission on Security and Cooperation in Europe					
Salaries and expenses.....	1,572	1,615	1,615	+43	---
Congressional-Executive Commission on the People's Republic of China					
Salaries and expenses.....	1,371	1,800	1,800	+429	---
Equal Employment Opportunity Commission					
Salaries and expenses.....	306,815	334,754	328,400	+21,585	-6,354
Supplemental appropriations (P.L. 108-11).....	15,000	---	---	-15,000	---
Federal Communications Commission					
Salaries and expenses.....	270,987	280,798	278,958	+7,971	-1,840
Offsetting fee collections - current year.....	-269,000	-251,984	-269,000	---	-17,016
Direct appropriation.....	1,987	28,814	9,958	+7,971	-18,856

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003  
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(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Trade Commission					
Salaries and expenses.....	176,553	191,132	183,041	+6,488	-8,091
Offsetting fee collections - current year.....	-150,000	-112,000	-112,000	+38,000	---
Offsetting fee collections, telephone database....	-18,100	-18,000	-20,100	-2,000	-2,100
Direct appropriation.....	8,453	61,132	50,941	+42,488	-10,191
Legal Services Corporation					
Payment to the Legal Services Corporation.....	336,645	329,300	338,848	+2,203	+9,548
Marine Mammal Commission					
Salaries and expenses.....	3,030	1,856	1,856	-1,174	---
National Commission on Terrorism Attacks Upon the United States					
Salaries and expenses (P.L. 108-11).....	11,000	---	---	-11,000	---
National Veterans Business Development Corporation					
Salaries and expenses.....	1,987	2,000	2,000	+13	---
Securities and Exchange Commission					
Salaries and expenses.....	745,789	841,507	841,500	+95,711	-7
Prior year unobligated balances.....	-29,439	---	-103,000	-73,561	-103,000
Direct appropriation.....	716,350	841,507	738,500	+22,150	-103,007
Small Business Administration					
Salaries and expenses.....	312,413	360,155	326,592	+14,179	-33,563
Office of Inspector General.....	12,341	14,500	13,000	+659	-1,500
Business Loans Program Account:					
Direct loans subsidy.....	3,702	1,910	1,910	-1,792	---
Guaranteed loans subsidy.....	84,805	94,860	84,805	---	-10,055
Administrative expenses.....	128,161	129,000	129,000	+839	---
Total, Business loans program account.....	216,668	225,770	215,715	-953	-10,055
Disaster Loans Program Account:					
Direct loans subsidy.....	72,665	79,109	72,665	---	-6,444
Administrative expenses.....	117,585	118,354	117,585	---	-769
Gainsharing.....	---	3,000	---	---	-3,000
Total, Disaster loans program account.....	190,250	200,463	190,250	---	-10,213
Total, Small Business Administration.....	731,672	800,888	745,557	+13,885	-55,331
State Justice Institute					
Salaries and expenses.....	2,981	---	3,000	+19	+3,000
Total, title V, Related agencies.....	2,153,248	2,416,261	2,236,569	+83,321	-179,692
TITLE VII - RESCISSIONS					
DEPARTMENT OF JUSTICE					
General Administration					
Working Capital fund (rescission).....	-78,000	---	---	+78,000	---



COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003  
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(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
<hr/>					
Legal Activities					
Assets forfeiture fund (rescission).....	-50,874	---	---	+50,874	---
Office of Justice Programs					
State & local law enforcement assistance (rescission).....	---	---	-24,122	-24,122	-24,122
Community oriented policing services (rescission).....	---	---	-6,378	-6,378	-6,378
Immigration and Naturalization Service					
Immigration emergency fund (rescission).....	-580	---	---	+580	---
DEPARTMENT OF COMMERCE					
National Oceanic and Atmospheric Administration					
Coastal impact assistance (rescission).....	-7,000	---	---	+7,000	---
Departmental Management					
Emergency oil and gas guaranteed loan program account (rescission).....	-920	---	---	+920	---
Emergency steel guaranteed loan program account (rescission).....	---	-97,000	---	---	+97,000
RELATED AGENCIES					
Federal Communications Commission					
Salaries and expenses (rescission).....	-5,700	---	---	+5,700	---
Small Business Administration					
Salaries and expenses (rescission).....	-13,750	---	---	+13,750	---
Business Loans Program Account:					
Guaranteed loans subsidy (rescission).....	-10,500	---	---	+10,500	---
	=====	=====	=====	=====	=====
Total, title VII, Rescissions.....	-167,324	-97,000	-30,500	+136,824	+66,500
	=====	=====	=====	=====	=====
Grand total:					
New budget (obligational) authority.....	40,497,836	41,211,965	41,230,679	+732,843	+18,714
Appropriations.....	(40,665,160)	(41,514,865)	(41,261,179)	(+596,019)	(-253,686)
Rescissions.....	(-167,324)	(-302,900)	(-30,500)	(+136,824)	(+272,400)
(Transfer out).....	(-11,632)	(-5,000)	(-11,632)	---	(-6,632)
(By transfer).....	(76,632)	(80,000)	(90,883)	(+14,251)	(+10,883)
	=====	=====	=====	=====	=====

Mr. MATHESON. Mr. Chairman, our nation is facing a protracted economic downturn, and manufacturers have been particularly hard hit. It is crucial that the federal government assists the smaller manufacturing businesses, which contribute significantly to the economy. This is why I support the Manufacturing Extension Partnership, MEP, program.

Many small businesses in my home state of Utah have benefited substantially from the MEP. I believe that if the federal government is content to merely study the problems of manufacturers, without providing a plan of action or tangible assistance, then our efforts to improve local economies will necessarily fall short.

While I am pleased to see that the House Appropriations Committee provided \$39.6 million for MEP, I hope that this worthy program will receive full funding during Senate consideration. Our government has devised and implemented an excellent resource for manufacturers and I believe that it deserves the continued support of Congress and the administration. Thank you for your consideration.

The CHAIRMAN. Pursuant to the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LATOURETTE) having assumed the chair, Mr. HASTINGS of Washington, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2799) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2004, and for other purposes, pursuant to House Resolution 326, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 400, nays 21, not voting 13, as follows:

[Roll No. 422]

YEAS—400

Abercrombie	Bartlett (MD)	Blumenauer
Ackerman	Barton (TX)	Blunt
Aderholt	Bass	Boehlert
Alexander	Beauprez	Boehner
Allen	Becerra	Bonilla
Andrews	Bell	Bonner
Baca	Bereuter	Bono
Bachus	Berman	Boozman
Baird	Berry	Boswell
Baker	Biggart	Boucher
Baldwin	Bilirakis	Boyd
Ballance	Bishop (GA)	Bradley (NH)
Ballenger	Bishop (NY)	Brady (PA)
Barrett (SC)	Blackburn	Brady (TX)

Brown (OH)	Granger	McHugh
Brown (SC)	Graves	McIntyre
Brown, Corrine	Green (TX)	McKeon
Brown-Waite,	Greenwood	McNulty
Ginny	Grijalva	Meehan
Burgess	Gutierrez	Meek (FL)
Burns	Hall	Meeks (NY)
Burr	Harman	Menendez
Burton (IN)	Harris	Mica
Buyer	Hart	Michaud
Calvert	Hastings (FL)	Millender-
Camp	Hastings (WA)	McDonald
Cannon	Hayes	Miller (FL)
Cantor	Hayworth	Miller (MI)
Capito	Herger	Miller (NC)
Capps	Hill	Miller, Gary
Capuano	Hinchee	Miller, George
Cardin	Hinojosa	Mollohan
Cardoza	Hobson	Moore
Carson (IN)	Hoeffel	Moran (KS)
Carson (OK)	Hoekstra	Moran (VA)
Carter	Holden	Murphy
Case	Holt	Murtha
Castle	Honda	Myrick
Chabot	Hooley (OR)	Nadler
Chocola	Hostettler	Napolitano
Clay	Houghton	Neal (MA)
Clyburn	Hoyer	Nethercutt
Coble	Hulshof	Neugebauer
Cole	Hunter	Ney
Collins	Hyde	Northup
Conyers	Inslee	Nunes
Cooper	Isakson	Nussle
Cox	Israel	Oberstar
Cramer	Issa	Obey
Crane	Istook	Oliver
Crenshaw	Jackson (IL)	Ortiz
Crowley	Jackson-Lee	Osborne
Cubin	(TX)	Ose
Culberson	Janklow	Otter
Cummings	Jefferson	Owens
Cunningham	Jenkins	Pallone
Davis (AL)	John	Pascarell
Davis (CA)	Johnson (CT)	Pastor
Davis (FL)	Johnson (IL)	Payne
Davis (IL)	Johnson, E. B.	Pearce
Davis (TN)	Johnson, Sam	Pelosi
Davis, Jo Ann	Jones (OH)	Peterson (MN)
Davis, Tom	Kanjorski	Peterson (PA)
Deal (GA)	Kaptur	Petri
DeFazio	Keller	Pickering
DeGette	Kelly	Pitts
Delahunt	Kennedy (MN)	Platts
DeLauro	Kildee	Pombo
DeLay	Kilpatrick	Pomeroy
DeMint	Kind	Porter
Deutsch	King (IA)	Portman
Diaz-Balart, L.	King (NY)	Price (NC)
Diaz-Balart, M.	Kingston	Putnam
Dicks	Kirk	Quinn
Dingell	Kleczka	Radanovich
Doggett	Kline	Rahall
Dooley (CA)	Knollenberg	Ramstad
Doolittle	Kolbe	Rangel
Doyle	Kucinich	Regula
Dreier	LaHood	Rehberg
Dunn	Lampson	Renzi
Edwards	Langevin	Reyes
Ehlers	Lantos	Reynolds
Emanuel	Larsen (WA)	Rodriguez
Engel	Larson (CT)	Rogers (AL)
English	Latham	Rogers (KY)
Eshoo	LaTourette	Rogers (MI)
Etheridge	Leach	Rohrabacher
Evans	Lee	Ros-Lehtinen
Everett	Levin	Ross
Farr	Lewis (CA)	Rothman
Fattah	Lewis (KY)	Roybal-Allard
Feeney	Linder	Ruppersberger
Filner	Lipinski	Rush
Fletcher	LoBiondo	Ryan (OH)
Foley	Lofgren	Ryan (WI)
Forbes	Lowe	Ryun (KS)
Fossella	Lucas (KY)	Sabo
Frank (MA)	Lucas (OK)	Sanchez, Linda
Frelinghuysen	Lynch	T.
Frost	Majette	Sanchez, Loretta
Gallegly	Maloney	Sanders
Garrett (NJ)	Manzullo	Sandlin
Gerlach	Markey	Saxton
Gibbons	Marshall	Schakowsky
Gilchrest	Matheson	Schiff
Gillmor	Matsui	Schrock
Gingrey	McCarthy (MO)	Scott (GA)
Gonzalez	McCollum	Scott (VA)
Goode	McCotter	Sensenbrenner
Goodlatte	McCrery	Serrano
Gordon	McDermott	Sessions
Goss	McGovern	Shadegg

Shaw	Stupak	Walden (OR)
Shays	Sweeney	Wamp
Sherman	Tanner	Waters
Sherwood	Tauscher	Watson
Shimkus	Taylor (NC)	Watt
Shuster	Terry	Waxman
Simmons	Thomas	Weiner
Simpson	Thompson (CA)	Weldon (FL)
Skellton	Thompson (MS)	Weldon (PA)
Slaughter	Thornberry	Weller
Smith (MI)	Tiahrt	Wexler
Smith (NJ)	Tiberi	Whitfield
Smith (TX)	Tierney	Wicker
Smith (WA)	Toomey	Wilson (NM)
Snyder	Towns	Wilson (SC)
Solis	Turner (OH)	Wolf
Souder	Turner (TX)	Woolsey
Spratt	Udall (NM)	Wu
Stark	Upton	Wynn
Stearns	Velazquez	Young (AK)
Stenholm	Visclosky	Young (FL)
Strickland	Vitter	

NAYS—21

Akin	Hensarling	Pence
Costello	Jones (NC)	Royce
Duncan	McCarthy (NY)	Tancred
Flake	McInnis	Tauzin
Franks (AZ)	Musgrave	Taylor (MS)
Green (WI)	Oxley	Udall (CO)
Hefley	Paul	Van Hollen

NOT VOTING—13

Berkley	Gephardt	Pryce (OH)
Bishop (UT)	Gutknecht	Sullivan
Emerson	Kennedy (RI)	Walsh
Ferguson	Lewis (GA)	
Ford	Norwood	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATOURETTE) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1523

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### PERSONAL EXPLANATION

Mr. KENNEDY of Rhode Island. Mr. Speaker, on rollcall No. 422, I mistakenly thought I had already voted. Had I been present, I would have voted "yea."

#### GENERAL LEAVE

Mr. KOLBE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2800, and that I may include tabular and extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

#### FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2004

The SPEAKER pro tempore. Pursuant to House Resolution 327 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2800.

□ 1525

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole